

KAUA‘I PLANNING COMMISSION
REGULAR MEETING
May 9, 2017

The regular meeting of the Planning Commission of the County of Kaua‘i was called to order by Vice Chair Ho at 9:03 a.m., at the Lihu‘e Civic Center, Mo‘ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Vice Chair Roy Ho
Ms. Donna Apisa
Mr. Wade Lord
Mr. Sean Mahoney
Ms. Glenda Nogami Streufert

Absent and Excused:
Chair Kimo Keawe
Ms. Kanoe Ahuna

The following staff members were present: Planning Department – Michael Dahilig, Leslie Takasaki; Office of the County Attorney – Deputy County Attorney Peter Morimoto; Office of Boards and Commissions – Commission Support Clerk Darcie Agaran

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Vice Chair Ho called the meeting to order at 9:03 a.m.

ROLL CALL

Planning Director Michael Dahilig: Commissioner Streufert.

Ms. Nogami Streufert: Here.

Mr. Dahilig: Commissioner Mahoney.

Mr. Mahoney: Here.

Mr. Dahilig: Commissioner Apisa.

Ms. Apisa: Here.

Mr. Dahilig: Commissioner Ahuna. Commissioner Lord.

Mr. Lord: Here.

Mr. Dahilig: Vice Chair Ho.

Vice Chair Ho: Here.

Mr. Dahilig: Chair Keawe. Mr. Vice Chair, you have five (5) members present this morning.

APPROVAL OF AGENDA

Mr. Dahilig: The Department would recommend approving the agenda with the recommendation that Item H.1. be taken at the end of the meeting after Announcements and adjournment happens immediately after the conclusion of the Executive Session.

Ms. Nogami Streufert: I move that we accept the agenda as stated.

Mr. Mahoney: Second.

Vice Chair Ho: It's been moved and seconded. All in favor? (Unanimous voice vote) Motion carries 5:0.

MINUTES of the meeting(s) of the Planning Commission

Regular Meeting of April 11, 2017

Regular Meeting of April 25, 2017

Mr. Dahilig: Thank you, Mr. Chair. Item No. D. These are minutes of April 11th and April 25, 2017 for the Commission's review and approval.

Vice Chair Ho: Do both one time?

Mr. Dahilig: It's up to the Commission's pleasure.

Vice Chair Ho: Please, we'll do both one time.

Ms. Apisa: Fine.

Ms. Nogami Streufert: I move to accept the minutes from the meetings of April 11, 2017 and April 25, 2017.

Ms. Apisa: Second.

Vice Chair Ho: Motion made and seconded. All in favor? (Unanimous voice vote) Motion carries 5:0.

RECEIPT OF ITEMS FOR THE RECORD

Mr. Dahilig: Thank you, Mr. Chair. We do not have any additional items for receipt for the record this morning.

HEARINGS AND PUBLIC COMMENT

Continued Agency Hearing

New Agency Hearing

Continued Public Hearing

New Public Hearing

All remaining public testimony pursuant to HRS 92 (Sunshine Law)

Mr. Dahilig: Hearings and Public Comment. We have no continued agency hearings, new agency hearings, continued public hearings, or new public hearings for this morning. And I do not have anybody signed up to testify on any other item on this morning's agenda. The Department would recommend making a final call for any testimony should the public elect to make comments.

Vice Chair Ho: Would anyone from the public like to comment? Seeing none.

CONSENT CALENDAR

Status Reports

Director's Report(s) for Project(s) Scheduled for Agency Hearing on 5/23/17

Class IV Zoning Permit Z-IV-2017-10, Use Permit U-2017-8 and Special Permit SP-2017-4 to allow development of a substance abuse treatment and healing center for adolescents, involving a parcel situated on the eastern side of Maalo Road in Kapaia, approx. 0.75 miles north of the Maalo Road/Kūhiō Highway intersection, further identified as Tax Map Key (4) 3-8-018:012, and affecting a parcel approx. 5.825 acre in size = County of Kaua'i, Office of the Mayor.

Special Management Area Use Permit SMA(U)-2017-3, Class IV Zoning Permit Z-IV-2017-11, Use Permit U-2017-9 to allow additions to the existing Coral Reef Hotel that includes (4) hotel units, two (2) apartment-hotel units, and associated site improvements, and Variance Permit V-2017-4 to allow deviations from several requirements of the Kaua'i County Code (1987), including Section 8-13.1 relating to Nonconforming Buildings & Structures, Section 8-13.2 relating to Nonconforming Uses, Sections 8-

9.2(a) & (b) relating to Open District Development Standards, for a parcel located on the makai side of Kūhiō Highway in Kapa‘a Town, further identified as 4-1516 Kūhiō Highway, Tax Map Key 4-5-011:046, and containing a total area of 0.592 acres = *Pixar Development, LLC*.

Mr. Dahilig: Thank you, Mr. Chair. Item G. This is Consent Calendar. We have two (2) Director’s Reports for receipt and scheduling of an agency hearing on 5/23/17. This is Class IV Zoning Permit Z-IV-2017-10, Use Permit U-2017-8, and Special Permit SP-2017-4. This is for the substance abuse treatment center in Maalo; Tax Map Key (4) 3-8-018:012. As well as Special Management Area Use Permit SMA(U)-2017-3, Class IV Zoning Permit Z-IV-2017-11 and Use Permit U-2017-9. These are additions to the Coral Reef Hotel at Tax Map Key 4-5-011:046. Again, these are for receipt and acceptance and setting for agency hearing on 5/23/17.

Mr. Mahoney: Chair, move to accept the reports.

Ms. Apisa: Second.

Vice Chair Ho: Moved and seconded. Discussion? Seeing none. A vote, please. All in favor? (Unanimous voice vote) Motion carries 5:0.

GENERAL BUSINESS MATTERS

Mr. Dahilig: Thank you, Mr. Chair. We are skipping Item H, going to Item I. There are none.

COMMUNICATION (For Action)

Mr. Dahilig: J, none.

COMMITTEE REPORTS

Subdivision

Mr. Dahilig: Committee Reports. That has been circulated for the Commissioners’ review.

Ms. Apisa: I move to approve the minutes [sic] of the Subdivision Committee this morning.

Mr. Lord: Second.

Vice Chair Ho: All in favor? (Unanimous voice vote) Motion carries 5:0.

UNFINISHED BUSINESS (For Action)

Mr. Dahilig: Thank you, Mr. Chair. We are now on Item L, Unfinished Business. None.

NEW BUSINESS

Mr. Dahilig: And no New Business for action.

ANNOUNCEMENTS

Topics for Future Meetings

The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Līhu'e Civic Center, Mo'ikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Līhu'e, Kaua'i, Hawai'i 96766 on Tuesday, May 23, 2017.

Mr. Dahilig: Announcements. The batting order has been circulated for the Commissioners' review for upcoming permits and the next scheduled regular Planning Commission meeting will be held in this room on Tuesday, May 23, 2017.

I believe at this time I'll punt it over to the attorney for the Executive Session request.

EXECUTIVE SESSION

Pursuant to Hawai'i Revised Statutes Section 92-4 and Section 92-5 (a)(4), the purpose of this Executive Session is to discuss the County of Kaua'i Grievances and Complaints Policy for Department Heads that can be Removed by County Boards and Commissions. This consultation involves consideration of powers, duties, privileges, immunities, and/or liabilities of the Planning Commission as they may relate to this agenda item.

Deputy County Attorney Peter Morimoto: Pursuant to Hawai'i Revised Statutes Section 92-4 and 92-5(a)(4), the purpose this Executive Session is to discuss the County of Kaua'i's Grievances and Complaints Policy for Department Heads that can be removed by County Boards and Commissions. This consultation involves the consideration of the powers, duties, privileges, immunities, and/or liabilities of the Planning Commission as they may relate to this agenda item.

Vice Chair Ho: A motion, please.

Mr. Mahoney: Move to go into Executive Session.

Ms. Nogami Streufert: Second.

Vice Chair Ho: A motion has been made and seconded. We will have a roll call vote, please.

Mr. Dahilig: This is a roll call vote on going into Executive Session pursuant to Item H. Commissioner Streufert.

Ms. Nogami Streufert: Aye.

Mr. Dahilig: Commissioner Mahoney.

Mr. Mahoney: Aye.

Mr. Dahilig: Commissioner Apisa.

Ms. Apisa: Aye.

Mr. Dahilig: Commissioner Lord.

Mr. Lord: Aye.

Mr. Dahilig: Vice Chair Ho.

Vice Chair Ho: Aye.

Mr. Dahilig: Five (5) ayes, Mr. Vice Chair.

With that, Mr. Vice Chair, the Department would also suggest having a second motion to adjourn immediately after Executive Session.

Mr. Mahoney: Chair, move to...

Mr. Dahilig: Yeah, for this agenda.

Vice Chair Ho: Oh, okay.

Mr. Mahoney: Chair, move to adjourn after Executive Session.

Mr. Lord: Second.

Vice Chair Ho: Moved and seconded.

Ms. Nogami Streufert: I'm sorry. I'm not sure I follow what that meant.

Mr. Dahilig: What that means is that at the conclusion of the Executive Session, the meeting ceases; you don't have to come back into Open Session and vote again to shut down the meeting.

Ms. Nogami Streufert: I see.

Vice Chair Ho: Moved and seconded. All in favor? (Unanimous voice vote) Motion carries 5:0. Okay, we are in Executive Session.

The Commission entered into Executive Session at 9:08 a.m.

ADJOURNMENT

The meeting was adjourned at 9:54 a.m.

Respectfully submitted by:



Darcie Agaran,
Commission Support Clerk

() Approved as circulated (add date of meeting approval)

() Approved as amended. See minutes of _____ meeting.